

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Monroe Commerce Center Phase III, Rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) (Pat Callaway, Realvest LLC, Applicant)

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Dan Matthys **CONTACT:** Jeff Hopper **EXT** 7431

Agenda Date 05/24/05 **Regular** ☐ **Work Session** ☐ **Briefing** ☐
Public Hearing – 1:30 ☒ **Public Hearing – 7:00** ☐

MOTION/RECOMMENDATION:

1. ENACT an ordinance to APPROVE the requested rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) for a 6.3-acre site located on the east side of Elder Road, and south of School Street, per the attached staff report, and authorize the Chairman to execute the attached Development Order (Pat Callaway, applicant); or
2. DENY the requested rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) for a 6.3-acre site located on the east side of Elder Road, and south of School Street, (Pat Callaway, applicant); or
3. CONTINUE the item to a time and date certain.

District 5 – Commissioner Carey

Jeff Hopper-Senior Planner

BACKGROUND:

The applicant requests PCD zoning on a 6.3 acre site with a HIP-TI (High Intensity Planned Development – Target Industry) future land use designation. The applicant proposes an addition to an office-warehouse complex having access to Church Street to the south. Permitted uses include those allowed in the M-1A and C-3 zoning districts. In expanding the development, the applicant proposes two new buildings consisting of 18,000 and 41,400 square feet respectively. Access is through the existing site with no new curb cuts proposed for the new phase of the development.

PLANNING & ZONING COMMISSION RECOMMENDATION:

On April 6, 2005 the Planning & Zoning Commission voted 5-0 to recommend APPROVAL of the rezoning per staff

Reviewed by: KR
Co Atty: _____
DFS: _____
OTHER: MM
DCM: _____
CM: RE

File No. ph130pdp02

recommendations and the attached Development Order.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request subject to the conditions stated in this report and the attached Development Order.

Attachments:

Site Plan
Development Order
Rezone Ordinance
P&Z Minutes
FLU and Zoning Map
Aerial Map

MONROE COMMERCE CENTER PHASE III

REQUEST INFORMATION		
APPLICANT	Pat Callaway	
PROPERTY OWNER	Realvest Monroe CommerCenter III, LLC	
REQUEST	A-1 (Agriculture) to PCD (Planned Commercial Development)	
HEARING DATE (S)	P&Z: April 6, 2005	BCC: May 24, 2005
PARCEL NUMBER	16-19-30-5AC-0000-031C	
LOCATION	North side of SR 436, and west of West Lake Brantley Road, south of Sand Lake Road	
FUTURE LAND USE	HIP - TI	
FILE NUMBER	Z2005-008	
COMMISSION DISTRICT	5 – Carey	

OVERVIEW

The applicant requests PCD zoning on a 6.3 acre site with a HIP-TI (High Intensity Planned Development – Target Industry) future land use designation. The applicant proposes an addition to an office-warehouse complex having access to Church Street to the south. Permitted uses include those allowed in the M-1A and C-3 zoning districts. In expanding the development, the applicant proposes two new buildings consisting of 18,000 and 41,400 square feet respectively. Access is through the existing site with no new curb cuts proposed for the new phase of the development.

The attached preliminary master plan shows 6-foot tall masonry walls adjacent to residential properties at the northwest and southwest corners of the site. The site will include a 25-foot landscape buffer area adjacent to Elder Road. Prohibited uses, as proposed by the applicant, include self-storage, service stations, restaurants and hotel/motel facilities. The use of an outdoor storage area, adjacent to the north side of Building B, would be limited to tenants of the development.

Existing Land Uses: Existing land uses on surrounding properties are as follows:

(North)		
HIP -TI SF Residential <i>A-1</i>	HIP -TI SF Residential <i>A-1</i>	HIP -TI Mineral processing <i>PCD</i>
HIP -TI SF Residential/vacant <i>A-1</i>	HIP -TI (SUBJECT PROPERTY) Vacant <i>A-1</i>	HIP -TI Offices, warehousing <i>PCD / C-3</i>
INDUSTRIAL Vacant <i>M-1A</i>	HIP -TI SF Residential/ Vacant/industrial <i>R-1/A-1/PCD</i>	HIP -TI Office/warehouse <i>PCD</i>

(South)

For more detailed information regarding zoning and land use, please refer to the attached map.

SITE ANALYSIS

Facilities and Services:

1. The impacts of development shall not occur until adequate facilities and services are available.
2. The proposed zoning is consistent with the adopted HIP--TI future land use designation assigned to the property, and does not alter the options or long range strategies for facility improvements or capacity additions included in the Support Documentation to the Vision 2020 Plan.
3. Seminole County will provide water and sewer service to the site.
4. The applicant will have to provide Information on stormwater capacity and outfall prior to Final Site Plan approval.

Compliance with Environmental Regulations: At this time there are no concerns regarding compliance with environmental regulations.

Compatibility with Surrounding Development: The proposed PCD zoning is compatible with the HIP--TI future land use designation.

PLANNING & ZONING COMMISSION RECOMMENDATION:

On April 6, 2005 the Planning & Zoning Commission voted 5-0 to recommend APPROVAL of the rezoning per staff recommendations and the attached Development Order.

STAFF RECOMMENDATIONS:

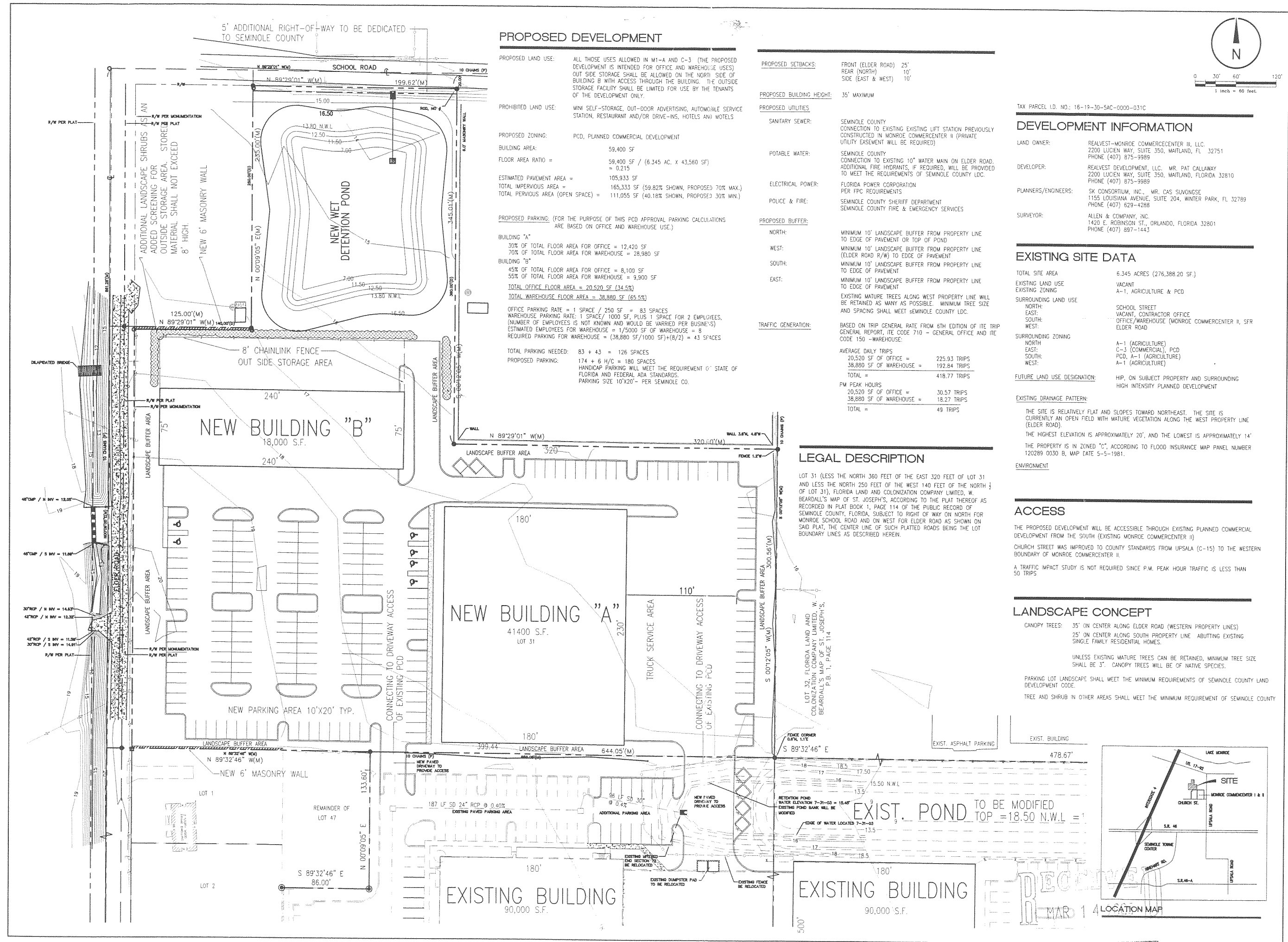
ENACT an ordinance to APPROVE the requested rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) subject to the following conditions:

- a. Permitted uses shall be those listed in the Land Development Code as permitted or special exception uses in the M-1A and C-3 districts. However, the following uses shall be prohibited:
 - mini-storage
 - retail
 - outdoor advertising
 - service stations
 - on-site repair of vehicles
 - restaurants
 - hotels and motels

- b. The developer shall provide a minimum 25-foot wide irrigated buffer along the west property line adjacent to Elder Road, consisting of 4 canopy trees per 100 feet, a minimum of 3" diameter measured 1 foot above ground.
- c. The developer shall provide a minimum 10-foot wide irrigated buffer adjacent to the existing home at the southwest corner of the site. This buffer shall consist of a 6-foot tall masonry wall and 4 canopy trees per 100 feet, a minimum of 3" diameter measured 1 foot above ground.
- d. The developer shall provide a 6-foot tall masonry wall along the south boundary adjacent to the residential property on Elder Road.
- e. Use of the outdoor storage area shall be restricted to tenants of the development, with access into this area provided only through Building B. An 8-foot chain link fence shall surround this area. This area shall be screened, landscaped, and irrigated so as not to be seen from School Street or Elder Road. The stacking of stored material in this area shall not exceed 8 feet in height.
- f. Floor area shall be limited as follows:

<i>Building</i>	<i>Office</i>	<i>Warehouse</i>
A	12,420 s.f.	28,980 s.f.
B	8,100 s.f.	9,900 s.f.
Totals	20,520 s.f.	39,880 s.f.

- Any increase in office area shall require a minor amendment to the PCD to ensure adequate parking on the site.
- g. Required building and accessory setbacks shall be 25 feet from Elder Road and School Street, and 10 feet from all other property lines.
 - h. Maximum building height shall be 50 feet.
 - i. The developer shall amenitize retention areas to be counted toward open space requirements per Section 30.1344 of the Land Development Code, with no fencing of the pond permitted. This shall be evaluated at Final Site Plan.
 - j. Outdoor lighting shall consist of cutoff-shoebox style fixtures and shall be limited to 16 feet in height, and no more than 0.5 foot-candles in intensity at the property lines.
 - k. Prior to Final Site Plan approval, an ingress-egress easement shall be established over the property described in Exhibit B to provide access to the site.



PROPOSED DEVELOPMENT

PROPOSED LAND USE: ALL THOSE USES ALLOWED IN M1-A AND C-3 (THE PROPOSED DEVELOPMENT IS INTENDED FOR OFFICE AND WAREHOUSE USES) OUTSIDE STORAGE SHALL BE ALLOWED ON THE NORTH SIDE OF BUILDING B WITH ACCESS THROUGH THE BUILDING. THE OUTSIDE STORAGE FACILITY SHALL BE LIMITED FOR USE BY THE TENANTS OF THE DEVELOPMENT ONLY.

PROHIBITED LAND USE: MINI SELF-STORAGE, OUT-DOOR ADVERTISING, AUTOMOBILE SERVICE STATION, RESTAURANT AND/OR DRIVE-INS, HOTELS AND MOTELS

PROPOSED ZONING: PCO, PLANNED COMMERCIAL DEVELOPMENT

BUILDING AREA: 59,400 SF

FLOOR AREA RATIO = 59,400 SF / (6.345 AC. X 43,560 SF) = 0.215

ESTIMATED PAVEMENT AREA = 105,933 SF

TOTAL IMPERVIOUS AREA = 165,333 SF (59.82% SHOWN, PROPOSED 70% MAX.)

TOTAL PERVIOUS AREA (OPEN SPACE) = 111,055 SF (40.18% SHOWN, PROPOSED 30% MIN.)

PROPOSED PARKING: (FOR THE PURPOSE OF THIS PCO APPROVAL PARKING CALCULATIONS ARE BASED ON OFFICE AND WAREHOUSE USE.)

BUILDING "A"

30% OF TOTAL FLOOR AREA FOR OFFICE = 12,420 SF

70% OF TOTAL FLOOR AREA FOR WAREHOUSE = 28,980 SF

BUILDING "B"

45% OF TOTAL FLOOR AREA FOR OFFICE = 8,100 SF

55% OF TOTAL FLOOR AREA FOR WAREHOUSE = 9,900 SF

TOTAL OFFICE FLOOR AREA = 20,520 SF (34.5%)

TOTAL WAREHOUSE FLOOR AREA = 38,880 SF (65.5%)

OFFICE PARKING RATE = 1 SPACE / 250 SF = 83 SPACES

WAREHOUSE PARKING RATE: 1 SPACE / 1000 SF, PLUS 1 SPACE FOR 2 EMPLOYEES. (NUMBER OF EMPLOYEES IS NOT KNOWN AND WOULD BE VARRIED PER BUSINE'S)

ESTIMATED EMPLOYEES FOR WAREHOUSE = 1/5000 SF OF WAREHOUSE = 8

REQUIRED PARKING FOR WAREHOUSE = (38,880 SF/1000 SF)+(8/2) = 43 SPACES

TOTAL PARKING NEEDED: 83 + 43 = 126 SPACES

PROPOSED PARKING: 174 + 6 H/C = 180 SPACES

HANDICAP PARKING WILL MEET THE REQUIREMENT OF STATE OF FLORIDA AND FEDERAL ADA STANDARDS.

PARKING SIZE 10'X20' - PER SEMINOLE CO.

PROPOSED SETBACKS:

FRONT (ELDER ROAD) 25'

REAR (NORTH) 10'

SIDE (EAST & WEST) 10'

PROPOSED BUILDING HEIGHT: 35' MAXIMUM

PROPOSED UTILITIES

SANITARY SEWER: SEMINOLE COUNTY CONNECTION TO EXISTING EXISTING LIFT STATION PREVIOUSLY CONSTRUCTED IN MONROE COMMERCCENTER II (PRIVATE UTILITY EASEMENT WILL BE REQUIRED)

POTABLE WATER: SEMINOLE COUNTY CONNECTION TO EXISTING 10" WATER MAIN ON ELDER ROAD. ADDITIONAL FIRE HYDRANTS, IF REQUIRED, WILL BE PROVIDED TO MEET THE REQUIREMENTS OF SEMINOLE COUNTY LDC.

ELECTRICAL POWER: FLORIDA POWER CORPORATION PER FPC REQUIREMENTS

POLICE & FIRE: SEMINOLE COUNTY SHERIFF DEPARTMENT SEMINOLE COUNTY FIRE & EMERGENCY SERVICES

PROPOSED BUFFER:

NORTH: MINIMUM 10' LANDSCAPE BUFFER FROM PROPERTY LINE TO EDGE OF PAVEMENT OR TOP OF POND

WEST: MINIMUM 10' LANDSCAPE BUFFER FROM PROPERTY LINE (ELDER ROAD R/W) TO EDGE OF PAVEMENT

SOUTH: MINIMUM 10' LANDSCAPE BUFFER FROM PROPERTY LINE TO EDGE OF PAVEMENT

EAST: MINIMUM 10' LANDSCAPE BUFFER FROM PROPERTY LINE TO EDGE OF PAVEMENT

EXISTING MATURE TREES ALONG WEST PROPERTY LINE WILL BE RETAINED AS MANY AS POSSIBLE. MINIMUM TREE SIZE AND SPACING SHALL MEET SEMINOLE COUNTY LDC.

TRAFFIC GENERATION:

BASED ON TRIP GENERAL RATE FROM 6TH EDITION OF ITE TRIP GENERAL REPORT, ITE CODE 710 - GENERAL OFFICE AND ITE CODE 150 - WAREHOUSE:

AVERAGE DAILY TRIPS	
20,520 SF OF OFFICE =	225.93 TRIPS
38,880 SF OF WAREHOUSE =	192.84 TRIPS
TOTAL =	418.77 TRIPS
P.M. PEAK HOURS	
20,520 SF OF OFFICE =	30.57 TRIPS
38,880 SF OF WAREHOUSE =	18.27 TRIPS
TOTAL =	49 TRIPS

LEGAL DESCRIPTION

LOT 31 (LESS THE NORTH 360 FEET OF THE EAST 320 FEET OF LOT 31 AND LESS THE NORTH 250 FEET OF THE WEST 140 FEET OF THE NORTH 1/2 OF LOT 31), FLORIDA LAND AND COLONIZATION COMPANY LIMITED, W. BEARDALL'S MAP OF ST. JOSEPH'S, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 114 OF THE PUBLIC RECORD OF SEMINOLE COUNTY, FLORIDA, SUBJECT TO RIGHT OF WAY ON NORTH FOR MONROE SCHOOL ROAD AND ON WEST FOR ELDER ROAD AS SHOWN ON SAID PLAT, THE CENTER LINE OF SUCH PLATTED ROADS BEING THE LOT BOUNDARY LINES AS DESCRIBED HEREIN.

LOT 32, FLORIDA LAND AND COLONIZATION COMPANY LIMITED, W. BEARDALL'S MAP OF ST. JOSEPH'S, P.B. 1, PAGE 114

TAX PARCEL I.D. NO.: 16-19-30-SAC-0000-031C

DEVELOPMENT INFORMATION

LAND OWNER: REALVEST-MONROE COMMERCCENTER III, LLC.
2200 LUCIEN WAY, SUITE 350, MATLAND, FL 32751
PHONE (407) 875-9989

DEVELOPER: REALVEST DEVELOPMENT, LLC. MR. PAT CALLAWAY
2200 LUCIEN WAY, SUITE 350, MATLAND, FLORIDA 32810
PHONE (407) 875-9989

PLANNERS/ENGINEERS: SK CONSORTIUM, INC., MR. CAS SUVONGSE
1155 LOUISIANA AVENUE, SUITE 204, WINTER PARK, FL 32789
PHONE (407) 629-4288

SURVEYOR: ALLEN & COMPANY, INC.
1420 E. ROBINSON ST., ORLANDO, FLORIDA 32801
PHONE (407) 897-1443

EXISTING SITE DATA

TOTAL SITE AREA: 6.345 ACRES (276,388.20 SF.)

EXISTING LAND USE: VACANT

EXISTING ZONING: A-1, AGRICULTURE & PCO

SURROUNDING LAND USE:

NORTH: SCHOOL STREET

EAST: VACANT, CONTRACTOR OFFICE

SOUTH: OFFICE/WAREHOUSE (MONROE COMMERCCENTER II, SFR ELDER ROAD)

SURROUNDING ZONING:

NORTH: A-1 (AGRICULTURE)

EAST: C-3 (COMMERCIAL), PCO

SOUTH: PCO, A-1 (AGRICULTURE)

WEST: A-1 (AGRICULTURE)

FUTURE LAND USE DESIGNATION: HIP, ON SUBJECT PROPERTY AND SURROUNDING HIGH INTENSITY PLANNED DEVELOPMENT

EXISTING DRAINAGE PATTERN:

THE SITE IS RELATIVELY FLAT AND SLOPES TOWARD NORTHEAST. THE SITE IS CURRENTLY AN OPEN FIELD WITH MATURE VEGETATION ALONG THE WEST PROPERTY LINE (ELDER ROAD).

THE HIGHEST ELEVATION IS APPROXIMATELY 20', AND THE LOWEST IS APPROXIMATELY 14'.

THE PROPERTY IS IN ZONED "C", ACCORDING TO FLOOD INSURANCE MAP PANEL NUMBER 120289 0030 B, MAP DATE 5-5-1981.

ENVIRONMENT

ACCESS

THE PROPOSED DEVELOPMENT WILL BE ACCESSIBLE THROUGH EXISTING PLANNED COMMERCIAL DEVELOPMENT FROM THE SOUTH (EXISTING MONROE COMMERCCENTER II)

CHURCH STREET WAS IMPROVED TO COUNTY STANDARDS FROM UPSALA (C-15) TO THE WESTERN BOUNDARY OF MONROE COMMERCCENTER II.

A TRAFFIC IMPACT STUDY IS NOT REQUIRED SINCE P.M. PEAK HOUR TRAFFIC IS LESS THAN 50 TRIPS

LANDSCAPE CONCEPT

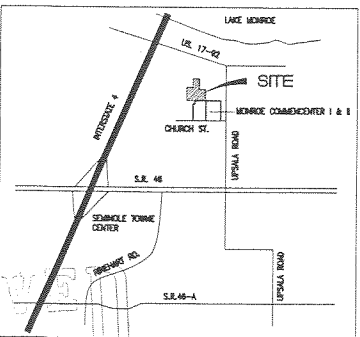
CANOPY TREES: 35' ON CENTER ALONG ELDER ROAD (WESTERN PROPERTY LINES)

25' ON CENTER ALONG SOUTH PROPERTY LINE ABUTTING EXISTING SINGLE FAMILY RESIDENTIAL HOMES.

UNLESS EXISTING MATURE TREES CAN BE RETAINED, MINIMUM TREE SIZE SHALL BE 3". CANOPY TREES WILL BE OF NATIVE SPECIES.

PARKING LOT LANDSCAPE SHALL MEET THE MINIMUM REQUIREMENTS OF SEMINOLE COUNTY LAND DEVELOPMENT CODE.

TREE AND SHRUB IN OTHER AREAS SHALL MEET THE MINIMUM REQUIREMENT OF SEMINOLE COUNTY



PCD MASTER SITE PLAN

MONROE COMMERCCENTER III

REALVEST-MONROE COMMERCCENTER III, LLC

SEMINOLE COUNTY, FLORIDA

01/31/05 - CDP SUBMISSION
03/11/05 - CDP REVISION PER CDC

Issue Date and Purpose
Project Number: 0503

Drawn by: NAME, CIV
Checked: M. KALAGHCHI
File No: SKPERS050305

MP2

FILE #

Z2005-008

DEVELOPMENT ORDER # 5-20500001

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On May 24, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: REALVEST MONROE COMMERCENTER III, LLC

Project Name: MONROE COMMERCE CENTER PHASE III

Requested Development Approval: Rezoning from A-1 (Agriculture) zoning classification to PCD (Planned Commercial Development) zoning classification

The Development Approval sought is consistent with the Seminole County Vision 2020 Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: JEFF HOPPER
1101 East First Street
Sanford, Florida 32771

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

- a. Permitted uses shall be those listed in the Land Development Code as permitted or special exception uses in the M-1A and C-3 districts. However, the following uses shall be prohibited:
 - mini-storage
 - retail
 - outdoor advertising
 - service stations
 - on-site repair of vehicles
 - restaurants
 - hotels and motels
- b. The developer shall provide a minimum 25-foot wide irrigated buffer along the west property line adjacent to Elder Road, consisting of 4 canopy trees per 100 feet, a minimum of 3" diameter measured 1 foot above ground.
- c. The developer shall provide a minimum 10-foot wide irrigated buffer adjacent to the existing home at the southwest corner of the site. This buffer shall consist of a 6-foot tall masonry wall and 4 canopy trees per 100 feet, a minimum of 3" diameter measured 1 foot above ground.
- d. The developer shall provide a 6-foot tall masonry wall along the south boundary adjacent to the residential property on Elder Road.
- e. Use of the outdoor storage area shall be restricted to tenants of the development, with access into this area provided only through Building B. An 8-foot chain link fence shall surround this area. This area shall be screened, landscaped, and irrigated so as not to be seen from School Street or Elder Road. The stacking of stored material in this area shall not exceed 8 feet in height.
- f. Floor area shall be limited as follows:

<i>Building</i>	<i>Office</i>	<i>Warehouse</i>
A	12,420 s.f.	28,980 s.f.
B	8,100 s.f.	9,900 s.f.
Totals	20,520 s.f.	39,880 s.f.

Any increase in office area shall require a minor amendment to the PCD to ensure adequate parking on the site.

- g. Required building and accessory setbacks shall be 25 feet from Elder Road and School Street, and 10 feet from all other property lines.
- h. Maximum building height shall be 50 feet.

- i. The developer shall amenitize retention areas to be counted toward open space requirements per Section 30.1344 of the Land Development Code, with no fencing of the pond permitted. This shall be evaluated at Final Site Plan.
- j. Outdoor lighting shall consist of cutoff-shoebox style fixtures and shall be limited to 16 feet in height, and no more than 0.5 foot-candles in intensity at the property lines.
- k. Prior to Final Site Plan approval, an ingress-egress easement shall be established over the property described in Exhibit B to provide access to the site.

4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

(6) This Development Order shall control in the event of any conflict between the terms and conditions of the development order and the terms, conditions, or notes of any site plan or master site plan.

Done and Ordered on the date first written above.

By: _____
Carlton D. Henley
Chairman
Board of County Commissioners

FILE #

Z2005-008

DEVELOPMENT ORDER # 5-20500001

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Realvest-Monroe CommerCenter III, LLC, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

Print Name

By:_____

George D. Livingston, Jr., as its President

STATE OF FLORIDA

COUNTY OF SEMINOLE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared George D. Livingston, Jr., who is personally known to me or who has produced _____ as identification and who did execute the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT A

LEGAL DESCRIPTION

LOT 31 (LESS THE NORTH 360 FEET OF THE EAST 320 FEET OF LOT 31 AND LESS THE NORTH 250 FEET OF THE WEST 140 FEET OF THE NORTH ½ OF LOT 31), FLORIDA LAND AND COLONIZATION COMPANY LIMITED, W. BEARDALL'S MAP OF ST. JOSEPH'S, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 114 OF THE PUBLIC RECORD OF SEMINOLE COUNTY, FLORIDA, SUBJECT TO RIGHT OF WAY ON NORTH FOR MONROE SCHOOL ROAD AND ON WEST OF ELDER ROAD AS SHOWN ON SAID PLAT, THE CENTER LINE OF SUCH PLATTED ROADS BEING THE LOT BOUNDARY LINES AS DESCRIBED HEREIN

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY; ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) ZONING CLASSIFICATION THE PCD (PLANNED COMMERCIAL DEVELOPMENT DISTRICT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled "Monroe Commerce Center Phase III."

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. REZONINGS. The zoning classification assigned to the following described property is changed from A-1 (Agriculture) to PCD (Planned Commercial Development):

See Exhibit A

Section 4. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes. This Ordinance shall become effective upon the date of filing by the Department and recording of Development Order #5-20500001 in the official land records of Seminole County.

ENACTED this 24th day of May, 2005.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman

EXHIBIT A

LEGAL DESCRIPTION

LOT 31 (LESS THE NORTH 360 FEET OF THE EAST 320 FEET OF LOT 31 AND LESS THE NORTH 250 FEET OF THE WEST 140 FEET OF THE NORTH ½ OF LOT 31), FLORIDA LAND AND COLONIZATION COMPANY LIMITED, W. BEARDALL'S MAP OF ST. JOSEPH'S, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 114 OF THE PUBLIC RECORD OF SEMINOLE COUNTY, FLORIDA, SUBJECT TO RIGHT OF WAY ON NORTH FOR MONROE SCHOOL ROAD AND ON WEST OF ELDER ROAD AS SHOWN ON SAID PLAT, THE CENTER LINE OF SUCH PLATTED ROADS BEING THE LOT BOUNDARY LINES AS DESCRIBED HEREIN

**MINUTES FOR THE
REGULAR MEETING OF THE SEMINOLE COUNTY
LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION**

**WEDNESDAY, APRIL 6, 2005
7:00 P.M.**

Members present: Beth Hattaway, Chris Dorworth, Ben Tucker, Matt Brown, Walt Eismann, and Dudley Bates.

Member absent: Richard Harris

Also present: Dan Matthys, Director of Planning and Development; Matt West, Planning Manager; Tony Walter, Assistant Planning Manager; Kim Romano, Assistant County Attorney; Jeffrey Hopper, Senior Planner; Tina Deater, Senior Planner; Tom Radzai, Senior Engineer; and Candace Lindlaw-Hudson, Senior Staff Assistant.

PUBLIC HEARING ITEM:

C. Monroe Commerce Center Phase III; Pat Callaway/RealVest Development LLC, applicant; approximately 6.345 acres; rezone from A-1 (Agriculture District) to PCD (Planned Commercial District); located on the east side of Elder Road, and south of School Street. (Z2005-008)

Commissioner Carey – District 5
Jeffrey Hopper, Senior Planner

Jeff Hopper stated that the applicant, Pat Callaway, is requesting a rezone from A-1 to Planned Commercial Development on approximately 6.3 acres on the east side of Elder Road, south of School Street. The subject property has a HIP-Target Industry future land use.

This request is an expansion of Monroe Commerce Center, an existing PCD currently approved for office-warehouse uses. The proposed new development would take access through the existing development, which fronts on Church Street to the south. In Phase 3, the applicant is proposing 2 new buildings 18,000 and 41,400 square feet in size, for a total floor area of 59,400 square feet. This floor area would be allocated as approximately 35% office use and 65% warehouse use.

Permitted uses would be those allowed in M-1A and C-3 zoning. Prohibited uses would include self-storage, restaurants and motels.

An outdoor storage area, adjacent to Building B on the north end of the site, would be limited to use by tenants of the development. This area would be fenced and screened so it is not visible from School Street or Elder Road.

The site plan shows no direct access to Elder Road, and a 25-foot landscape buffer would be located along that frontage. The applicant would also provide 6-foot masonry walls adjacent to residential properties at the NW and SW corners of the site.

Mr. Hopper closed by stating that Staff recommends approval of the request subject to conditions listed in the staff report and Development Order, with 1 correction: Item D: "6-foot masonry wall shall be provided along the north boundary..."

Pat Calloway of 2200 Lucien Way, Maitland stated that this project was a continuation of a previously approved project. He requested approval for this segment.

Janice Farrow of 975 North Elder Road was concerned with the condition and future development of Elder Road. She stated that the road is a dirt road now; she wanted information on how and when it would be paved. Houses sit near the road. She was concerned that any development would devalue her house. She bought a home in a rural neighborhood two years ago. This will change things drastically.

Commissioner Tucker asked Mr. Hopper about the status of Elder Road.

Mr. Hopper stated that this project accesses other roads. Development Review would address other questions.

Tom Radzai stated that this road will be improved into a 4-lane, divided road. Land would be purchased for the right of way.

Commissioner Tucker stated that plans in the area have been on-going for years.

Janice Farrow stated that she had checked on the status of any projects in the area before moving, and that she had been told that nothing was going on there.

Commissioner Tucker explained that the area around and including the subject property has been designated High Intensity future land use for years. The residential area is being gradually phased out.

Tom Radzai stated that, upon checking other sources, he had learned that there will be a 24-foot road.

Commissioner Tucker asked about the drainage in the area.

Mr. Radzai stated that there is a stormwater retention area planned on Narcissus Road.

Commissioner Tucker restated that the area has not been designated for residential use in the future land use designation.

Ms. Farrow asked how much of the property would be developed.

Commissioner Tucker stated that eventually the entire property would be developed.

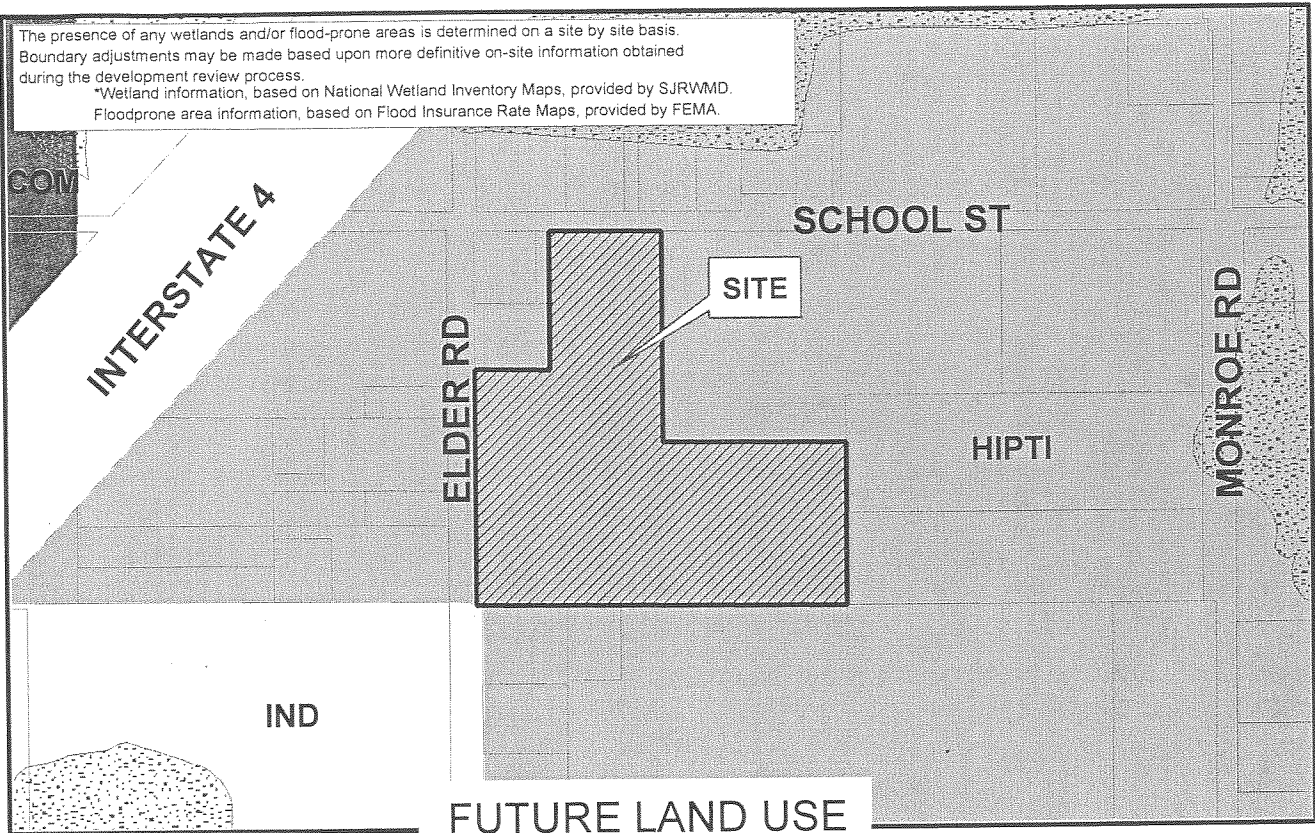
There were no further comments from the floor. The public hearing was now closed.

Commissioner Dorworth made a motion to recommend approval with staff recommendations.

Commissioner Eismann seconded the motion.

The motion passed by a vote of 6 – 0.

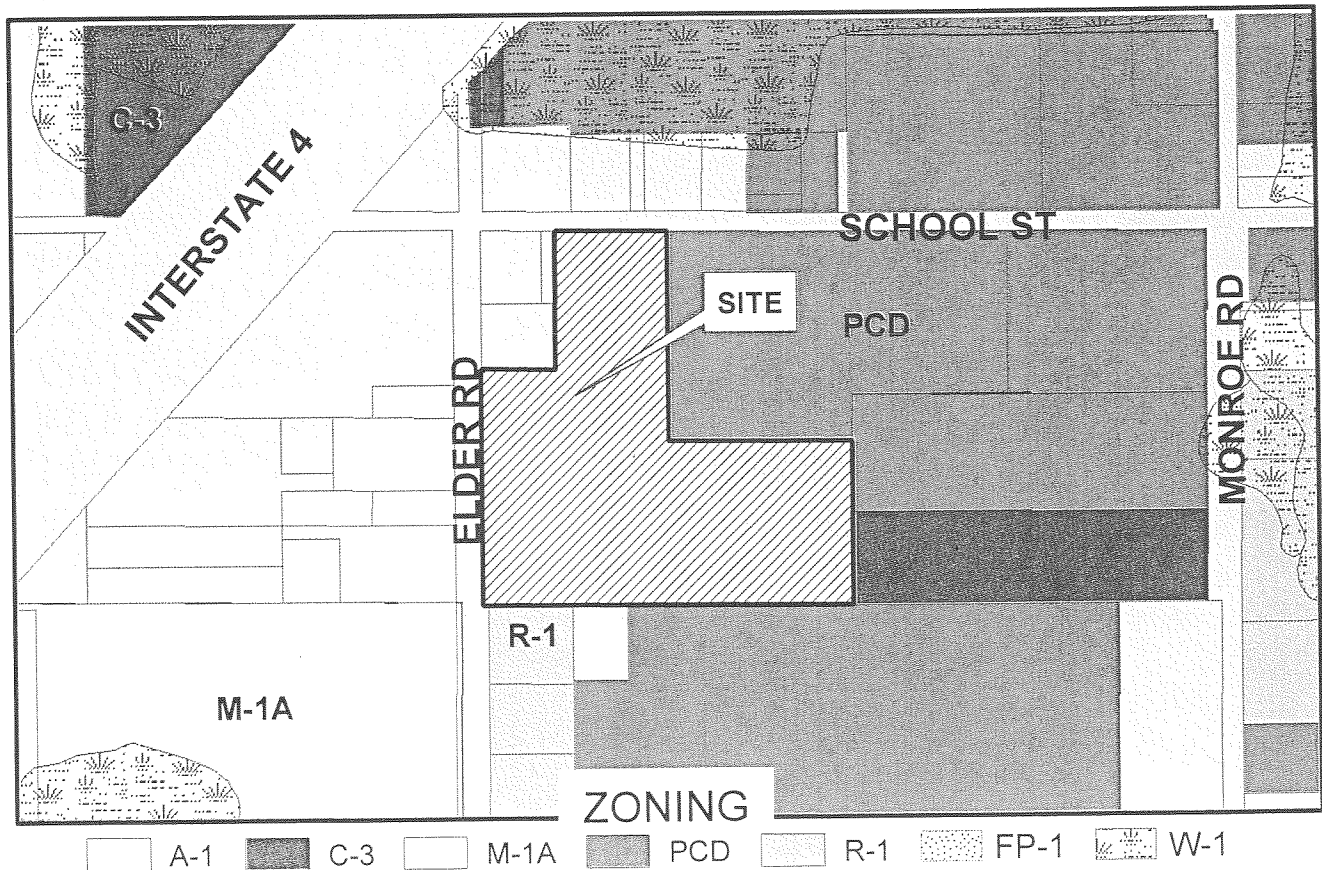
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.
 Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.



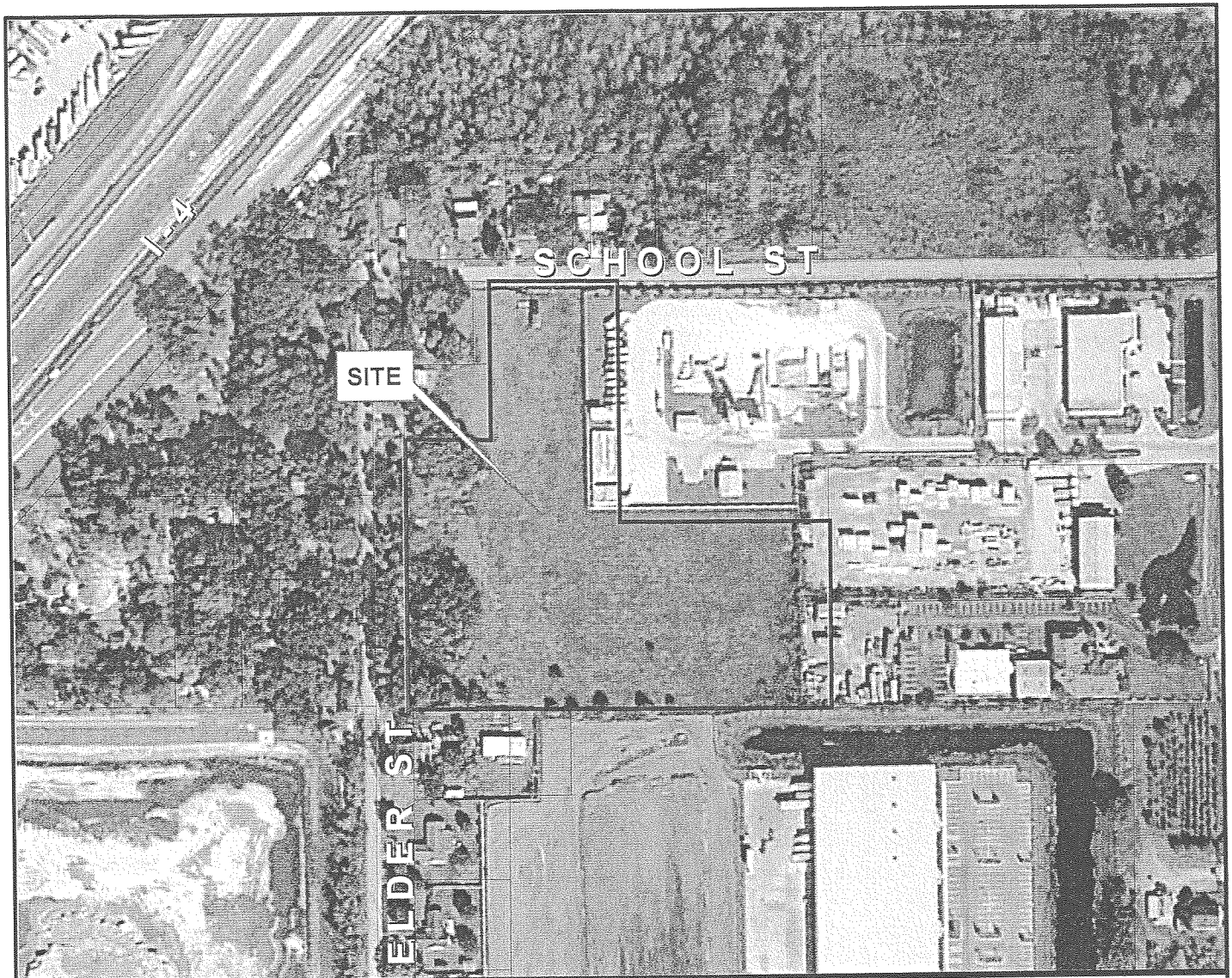
Site
 COM
 IND
 HIPTI
 CONS

Applicant: Pat Callaway
 Physical STR: 16-19-30-5AC-0000-031C
 Gross Acres: 6.35 +/- BCC District: 5
 Existing Use: Vacant Industrial General
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2005-008	A-1	PCD



A-1
 C-3
 M-1A
 PCD
 FP-1
 W-1



Rezone No: Z2005-008
From: A-1 To: PCD

☐ Parcel
☒ Subject Property



January 2004 Color Aerials

